UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION
CITY VIEW PLAZA, SUITE 7000
#48 165 RD. KM 1.2
GUAYNABO, PR 00968-8069

July 30, 2014

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Javier E. Ramos Hernández, P.E.
Executive Director
Puerto Rico Highways and Transportation Authority
P. O. Box 42007
San Juan, Puerto Rico 00940-2007

Re: Transmittal of Reconnaissance Inspection Report
Road PR-9 Construction Project (AC-00911)
Docket Number CWA-02-2014-3108

Dear Mr. Ramos Hernández:

This letter refers to the Reconnaissance Inspection (Inspection) conducted on June 17, 2014, by enforcement officers Yolianne Maclay and José A. Rivera, of the United States Environmental Protection Agency (EPA), at the above referenced construction project. The purpose of the Inspection was to determine Puerto Rico Highways and Transportation Authority's (PRHTA) and Ferrovial Agroman, S.A.'s (GC) compliance with Sections 301(a), 308(a), and 402(p) of the Federal Water Pollution Control Act (CWA), as amended, the National Pollutant Discharge Elimination System (NPDES) stormwater permit application regulations codified in 40 C.F.R. §§ 122.21, 122.26 and 122.28, and the "2012 NPDES General Permit for Discharges from Construction Activities" (CGP).

Enclosed please find the NPDES Water Compliance Inspection Report (Report) dated July 30, 2014, which includes the Inspection's observations and findings. Within thirty (30) calendar days from receipt of this letter, PRHTA must provide a response to the findings and observations in the Report.

If you have any questions concerning this letter, please contact Mr. Rivera at (787) 977-5842, or rivera.jose@epa.gov.

Sincerely,

Jaime López

for Nancy Rodríguez, P.E.
Acting Chief
Multimedia Permits and Compliance Branch

Enclosure

cc: Wanda García, EQB (w/ encl.)

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Inspection Report PR-9 CWA-02-2014-3108

Postage	$	073114
Certified Fee		Postmark Here
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	$ 7.82	

7011 2000 0000 8863 3922

Sent To Javier E. Ramos Hernandez, P.E.

Street, Apt. No.; or PO Box No. P.O. Box 42007

City, State, ZIP+4 San Juan, PR 00940-2007

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Javier E. Ramos Hernandez, P.E.
Executive Director
P.R. Highways and Transportation Authority
P.O. Box 42007
San Juan, PR 00940-2007

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Jason Gonzalez ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* S. G

C. Date of Delivery 4/Ago/2014

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Transfer from service label)* 7011 2000 0000 8863 3922

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
CARIBBEAN ENVIRONMENTAL PROTECTION DIVISION
CITY VIEW PLAZA, SUITE 7000
#48 165 RD. KM 1.2
GUAYNABO, PR 00968-8069

July 30, 2014

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Oscar E. Santiago Díaz, P.E.
Project Manager
Ferrovial Agroman, S.A.
1250 Avenida Ponce de León, Edificio San José, Suite 902
San Juan, Puerto Rico 00907

Re: Transmittal of Reconnaissance Inspection Report
Road PR-9 Construction Project (AC-00911)
2012 CGP Tracking Number PRR12A316

Dear Mr. Santiago Díaz:

This letter refers to the Reconnaissance Inspection (Inspection) conducted on June 17, 2014, by enforcement officers Yolianne Maclay and José A. Rivera, of the United States Environmental Protection Agency (EPA), at the above referenced construction project. The purpose of the Inspection was to determine Puerto Rico Highways and Transportation Authority's (PRHTA) and Ferrovial Agroman, S.A.'s (GC) compliance with Sections 301(a), 308(a), and 402(p) of the Federal Water Pollution Control Act (CWA), as amended, the National Pollutant Discharge Elimination System (NPDES) stormwater permit application regulations codified in 40 C.F.R. §§ 122.21, 122.26 and 122.28, and the "2012 NPDES General Permit for Discharges from Construction Activities" (CGP).

Enclosed please find the NPDES Water Compliance Inspection Report (Report) dated July 30, 2014, which includes the Inspection's observations and findings. Within thirty (30) calendar days from receipt of this letter, GC must provide a response to the findings and observations in the Report.

If you have any questions concerning this letter, please contact Mr. Rivera at (787) 977-5842, or rivera.jose@epa.gov.

Sincerely,

for Nancy Rodríguez, P.E.
Acting Chief
Multimedia Permits and Compliance Branch

Enclosure

cc: Wanda García, EQB (w/ encl.)

7011 2000 0000 8863 3939

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®
Inspection Report PR-9 PRR12A316 OFFICIAL USE

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 7.82

Postmark Here: 07 31 14

Sent To: Oscar E. Santiago Diaz, P.E.
Street, Apt. No.; or PO Box No.: 1250 Ponce de Leon
City, State, ZIP+4: San Juan, PR 00907

PS Form 3800, August 2006 — See Reverse for Instructions

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Oscar E. Santiago Diaz, P.E.
Project Manager
Ferrovial Agroman, S.A.
1250 Avenida Ponce de Leon,
Edificio San Jose, Suite 902
San Juan, PR 00907

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Transfer from service label)* 7011 2000 0000 8863 3939

PS Form 3811, February 2004 — Domestic Return Receipt — 102595-02-M-1540

EPA

United States Environmental Protection Agency
Washington, D.C. 20460

Water Compliance Inspection Report

Form Approved.
OMB No. 2040-0057
Approval expires 8-31-98

Section A: National Data System Coding (i.e., PCS)

Transaction Code	NPDES	yr/mo/day	Inspection Type	Inspector	Fac Type
1 N 2	3 PRR12A3161 11	12 140617 17	18 R	19 R	20 2

Remarks

2 SW CONSTRUCTION INSPECTION 66

Inspection Work Days	Facility Self-Monitoring Evaluation Rating	B1	QA	Reserved
6 1 69	70	71	72	73 74 75 80

Section B: Facility Data

Name and Location of Facility Inspected *(for industrial users discharging to POTW, also include POTW name and NPDES permit number)*

ROAD PR-9 CONSTRUCTION PROJECT (AC-00911)
From PR-123 to PR-132
Ponce, Puerto Rico 00733

Entry Time/Date	Permit Effective Date
June 17, 2014 10:20 a.m.	See Supplement.
Exit Time/Date	**Permit Expiration Date**
June 17, 2014 4:15 p.m.	See Supplement.

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)

Julio Baez Romero, P.E., PRHTA's Project Administrator [Telephone Number: (787) 617-8564
Oscar E. Santiago-Díaz, P.E., GC's Project Manager [Telephone Number: (787) 448-4439]

Other Facility Data

Name, Address of Responsible Official/Title/Phone and Fax Number(s)

Mr. Javier E. Ramos Hernández, P.E., PRHTA's Exe. Dir.

Mr. Nassim E. Tactuk Dina, CG's General Manager

Contacted: Yes [ ] No [X]

Section C: Areas Evaluated During Inspection *(Check only those areas evaluated)*

X	Permit		Flow Measurement		Operations & Maintenance		CSO/SSO (Sewer Overflow)
X	Records/Reports		Self-Monitoring Program		Sludge Handling/Disposal		Pollution Prevention
X	Facility Site Review		Compliance Schedules		Pretreatment		Multimedia
X	Effluent/Receiving Water		Laboratory	X	Storm Water	X	Other: NOI

Section D: Summary of Findings/Comments *(Attach additional sheets of narrative and checklists as necessary)*

See attached Supplement.

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Phone and Fax Numbers	Date
José A. Rivera, BSCE, Senior Environmental Engineer	USEPA/02/CEPD/MPCB	7/30/14
Yolianne Maclay, P.E., Environmental Engineer	Tel.: (787) 977-5865	7/30/14
	e-mails: rivera.jose@epa.gov maclay.yolianne@epa.gov	
Signature of Management Q A Reviewer	**Agency/Office/Phone and Fax Numbers**	**Date**
for Nancy Rodríguez, P.E., Chief, MPCB	USEPA/02/CEPD/MPCB: Tel.: (787) 977-5865	7/30/14

ROAD PR-9 CONSTRUCTION PROJECT
(AC-00911)

Road PR-9 (From PR-123 to PR-132), Ponce, Puerto Rico 00733
Coordinates: Latitude 18° 01' 50.85" N; Longitude 66° 38' 25.20" W
Telephone Numbers: (787) 651-7236; (787) 651-3484

Owner/Operator – Puerto Rico Highways and Transportation Authority
P. O. Box 42007, San Juan, Puerto Rico 00940-2007
Telephone Number: (787) 289-8100
Web Site: www.dtop.gov.pr/carretera

Owner/Operator – Permit Status
Operator without a Permit

General Contractor/Operator – Ferrovial Agroman, S.A.
1250 Avenida Ponce de León, Edificio San José, Suite 902
San Juan, Puerto Rico 00907
Telephone Number: (787) 725-5505
Facsimile Number: (787) 725-5530
Web Site: www.ferrovial.com

General Contractor/Operator – Permit Status
2012 CGP Tracking Number PRR012A316

1. INTRODUCTION

a. This Supplement to the Water Compliance Inspection Report Form is prepared to include all findings and observations concerning the Reconnaissance Inspection (Inspection) conducted by enforcement officers, José A. Rivera, BSCE, and Yolianne Maclay, P.E., of the United States Environmental Protection Agency's (EPA) Caribbean Environmental Protection Division, at the "Road PR-9 Construction Project" ("Project" or "Site") located in Ponce, Puerto Rico.

b. The purpose of the Inspection was to determine Puerto Rico Highways and Transportation Authority's (PRHTA) and Ferrovial Agroman, S.A.'s (GC) compliance with Sections 301(a), 308(a), and 402(p) of the Federal Water Pollution Control Act (CWA), as amended, the National Pollutant Discharge Elimination System (NPDES) stormwater permit application regulations codified in 40 C.F.R. §§ 122.21, 122.26 and 122.28, and the "2012 NPDES General Permit for Discharges from Construction Activities" (CGP).

c. The Inspection took place on Tuesday, June 17, 2014, from 10:20 a.m. to 4:15 p.m. local time. Dry weather and sunny skies prevailed until an afternoon light rain event that took place between 2:00 p.m. to 2:30 p.m. The EPA Inspector José A. Rivera showed his credentials to the Project Manager Oscar E. Santiago-Díaz, P.E., and the Project Administrator Julio Baez Romero, P.E., prior to beginning the

Inspection activities subject to this Report, which were performed under the authority in Section 308(a) of the CWA, as amended.

d. The following persons represented PRHTA and GC during the course of the Inspection:

- Julio Baez Romero, P.E., PRHTA's Project Administrator [Telephone Number: (787) 617-8564]; and
- Oscar E. Santiago-Díaz, P.E., GC's Project Manager [Telephone Number: (787) 448-4439].

2. PRIOR HISTORY OF ENFORCEMENT ACTIVITIES

a. This is the first inspection performed by EPA at the Project to evaluate compliance with the CWA, the SW Regulations and the 2008 MSGP.

b. EPA has not taken any enforcement action against the GC for violations of the CWA.

c. The PRHTA is a repeat violator because EPA has previously taken numerous enforcement actions against PRHTA for violations of the CWA.

d. On June 27, 2014, EPA Region 2 issued an Administrative Compliance Order (ACO) bearing docket number CWA-02-2014-3108, against PRHTA for its failure to apply for NPDES coverage for its discharges of pollutants from the Project into waters of the United States.

e. On July 1, 2014, PRHTA acknowledged receipt of the ACO, and on same date, notified EPA that it had ordered GC to cease earth movement activities at the Project.

3. PUERTO RICO HIGHWAYS AND TRANSPORTATION AUTHORITY

a. The Puerto Rico Highways and Transportation Authority (PRHTA) is a public corporation created under the laws of the Commonwealth of Puerto Rico.

b. PRHTA meets the definition of a "person" pursuant to Section 502(5) of the CWA, 33 U.S.C. § 1362(5).

c. PRHTA is the owner, developer and operator of the Project.

d. PRHTA's principal officer is Mr. Javier E. Ramos Hernández, P.E., Executive Director. PRHTA's principal construction officer is Mr. Noel E. Rosario Hernández, P.E., Construction Area Director.

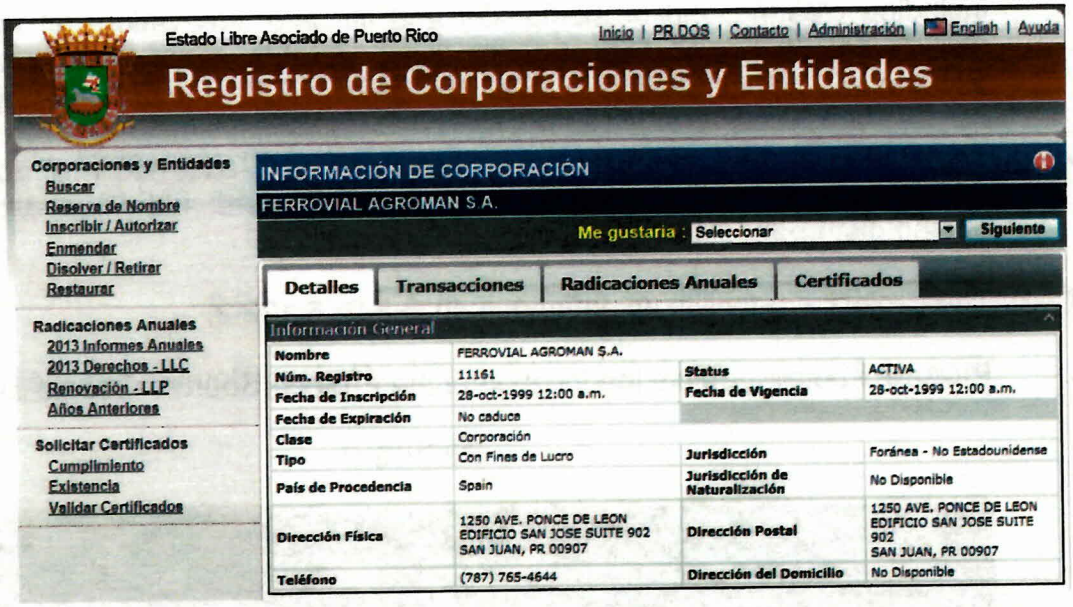
e. PRHTA's main office is located at Roberto Sánchez Vilella Government Center, South Tower, 10th Floor, De Diego Avenue, Santurce, Puerto Rico.

4. **FERROVIAL AGROMAN, S.A.**

a. Ferrovial Agroman, S.A. (GC) is a for-profit foreign corporation organized under the laws of Puerto Rico.

b. On October 28, 1999, GC was registered in the Commonwealth of Puerto Rico Department of State under registration number 11161. **Figure 1** shows the information about GC found at the official Puerto Rico Department of State web site (*www.estado.gobierno.pr*).

Figure 1



c. GC meets the definition of a "person" pursuant to Section 502(5) of the CWA, 33 U.S.C. § 1362(5).

d. GC is currently engaged in providing services as a construction general contractor for government construction projects.

e. GC's main office is located at 1250 Avenida Ponce de León, Edificio San José, Suite 902, San Juan, Puerto Rico 00907.

f. GC's principal officer is Mr. Nassim E. Tactuk Dina, General Manager. GC's principal construction manager at the Project is Mr. Oscar E. Santiago Díaz, P.E., Project Manager.

g. On September 7, 2012, PRHTA and GC executed a contract for the construction

of the Project.

h. The PRHTA construction project number assigned to the Project is AC-00911.

i. The construction contract indicates the PRHTA agreed to pay $39,000,000 to GC for the construction of the Project.

5. **DESCRIPTION OF THE PROJECT**

a. The Project mainly consist of the construction of Road PR-9, which serves to allow two-way traffic flow from Road PR-123 to Road PR-132.

b. Among others things, the construction activities associated with the Project consist of: (i) 2.6 kilometers linear highway construction that requires earth movement, including clearing and grubbing, cut and fill, and excavation; (ii) installation of utilities including relocation of power lines, potable water pipelines and sanitary sewers; and (iii) installation of municipal separate sewers and discharge systems.

c. The Project's earth movement activities involve: (i) excavation of approximately 1,792,000 cubic meters; (ii) fill of 338,000 cubic meters; and (iii) an estimated area of land disturbance of seventy three (73) acres.

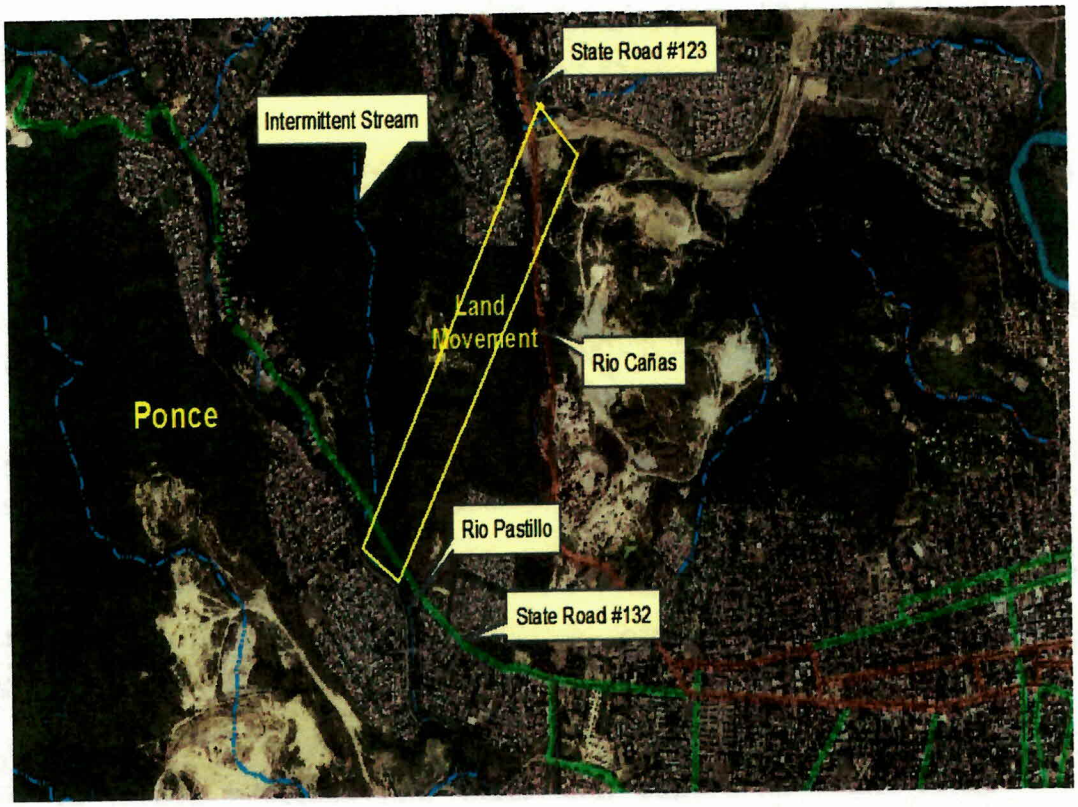
d. The Project is a facility as defined in 40 C.F.R. § 122.2.

e. **Picture 1** below depicts the location of the Project (Source: Google Earth).

Picture 1

f. **Figure 2** depicts the watersheds nearby the Project, which include two surface water bodies known as Cañas River and Pastillo River.

Figure 2



g. The storm water runoff from the construction areas east of Cañas River flows into Road PR-123, which in turn discharges into Cañas River. Road PR-123 is a municipal separate storm sewer system (MS4) owned and operated by PRHTA.

h. The storm water runoff from the construction areas west of Cañas River flows into Cañas River and Road PR-132. Road PR-132, which is also a MS4 owned and operated by PRHTA, discharges into Pastillo River.

i. The Cañas River and the Pastillo River are waters of the United States and tributaries of the Caribbean Sea, a navigable water of the Unites States.

j. The Environmental Quality Board (EQB) of the Commonwealth of Puerto Rico reported to EPA in its 2012 CWA's Section 303(d) List that Pastillo River is impaired, and that the causes of such impairment are levels of dissolved oxygen below water quality criteria and total coliforms above the water quality criteria.

k. Engineers Santiago Díaz and Baez Romero indicated during the Inspection entry meeting that construction activities at the Project began on September 17, 2012. Based on the construction contract documents, the Project completion date is September 1, 2015.

l. Based on the interviews with engineers Santiago Díaz and Baez Romero, PRHTA

has control over Project's construction plans and specifications including the ability to make modifications to those plans and specifications; and GC has day-to-day operational control of those activities at the Project that are necessary to ensure compliance with the CGP.

6. **APPLICABLE STATUTORY AND REGULATORY PROVISIONS**

Clean Water Act Statutory Provisions

a. Section 301(a) of the Act, 33 U.S.C. § 1311(a), provides in part that "[e]xcept as in compliance with [CWA § 402], the discharge of any pollutant by any person shall be unlawful."

b. Section 402(p)(2)(B) of the CWA authorizes the Administrator of EPA to issue NPDES permits to storm water discharges associated with industrial activity.

National Pollutant Discharge Elimination System Regulatory Provisions

c. EPA promulgated NPDES regulations defining the term storm water associated with industrial activity. Those regulations are codified in 40 C.F.R. § 122.26(b).

d. Storm water discharges from construction sites were included in the definition of storm water discharges associated with industrial activity in 40 C.F.R. § 122.26(b)(14)(x).

e. The Project is covered by the NPDES permit application regulation for construction sites because the clearing, grading and excavation activities at the Site are equal or greater than 5 acres.

f. The MS4s that receive the storm water discharges from the Project are covered by the Small MS4 regulations under 40 C.F.R. § 122.26(b)(16). The operator of such regulated Small MS4s was required to apply for an NPDES permit under 40 C.F.R. § 122.26(e)(9).

g. PRHTA owns and operates several MS4s located in urbanized areas in Puerto Rico. The discharges from PRTHA's MS4s, such as Roads PR-123 and 132, are covered under the "NPDES General Permit for Discharges from Small Municipal Separate Storm Sewer Systems" (MS4 Permit).

h. PRTHA obtained coverage under the MS4 Permit on November 4, 2011. The MS4 Permit expired on November 6, 2011; however, it was administratively extended pursuant to 5 U.S.C. § 558(c) and 40 C.F.R. § 122.6(a).

i. EPA assigned PRTHA with MS4 Permit tracking number PR040080.

7. 2012 NPDES CONSTRUCTION GENERAL PERMIT

Permit Coverage

a. On February 16, 2012, EPA issued and published the CGP in the Federal Register (77 Fed. Reg. 12,286). The CGP became effective on February 16, 2012 and expires on February 16, 2017.

b. Part 1.1 of the CGP defines the term operator of a construction project for which discharges will be covered under the CGP, as any party associated with a construction project that meets either of the following two criteria:

   1) The party has operational control over construction plans and specifications including the ability to make modifications to those plans and specifications; or

   2) The party has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the CGP conditions.

c. Based on the definition of operator above, PRHTA is an operator of the Project because PRHTA has control over any changes to site drawings and specifications, storm water conveyances, and control designs. PRHTA provided the drawings to GC as part of the construction contract documents.

d. Based on the definition of operator above, GC is an operator of the Project because GC is responsible for overseeing actual earth disturbing activities and daily implementation of a Storm Water Pollution Prevention Plan (SWPPP), and other permit conditions (such as site inspections and preparation of inspection reports).

e. PRHTA and GC are required to apply for NPDES permit coverage under a co-permittee permitting scenario.

f. Part 1.4 of the CGP indicates that the operator seeking coverage under the CGP must submit to EPA a complete and accurate Notice of Intent (NOI) prior to commencing construction activities. Parts 1.4 and 7.1.1 of the CGP indicate that the operator must complete the development of a SWPPP consistent with Part 7 of the CGP prior to submitting the NOI for coverage under the CGP.

g. Based on Part 1.4.2 and Table 1 of the CGP, the operator is considered covered under the CGP fourteen (14) calendar days after EPA has acknowledged receipt of the NOI on EPA's website, unless EPA notifies the operator that the authorization has been delayed or denied. Table 1 of the CGP indicates that discharges are not authorized if the NOI is incomplete or inaccurate.

Notifications and Applications

h. The EPA Inspector Rivera reviewed the EPA Storm Water NOI Processing Center database during the Inspection (the "EPA Review") to determine if PRHTA and GC had obtained NPDES coverage for the Project.[1] The EPA Inspector found that:

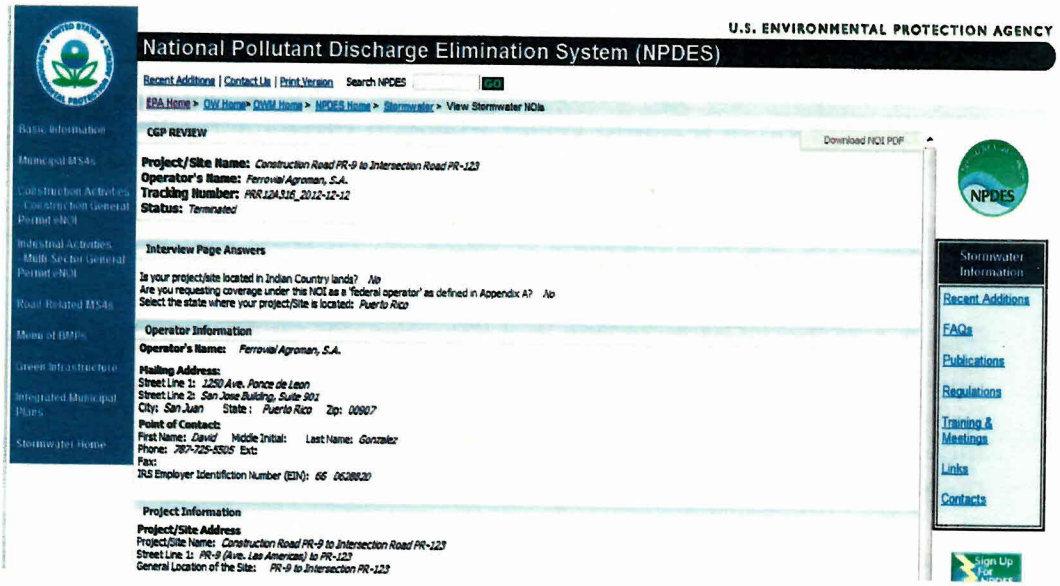
1) PRHTA did not file an individual NPDES permit application (40 C.F.R. § 122.21) for the discharges of pollutants from the Project into waters of the United States;

2) PRHTA did not file a NOI form seeking coverage under the CGP, for the discharges of pollutants from the Project into waters of the United States; and

3) GC filed two (2) NOI forms to seek coverage under the CGP on October 9, 2012 and November 28, 2012. Both NOIs were submitted after earth movement activities began at the Project.

i. **Figure 3** (below) and **Figure 4** (next page) depict the information available in the EPA NOI Processing Center Database for the Project.

Figure 3 - October 9, 2012 (terminated)



j. The EPA Inspector Rivera reviewed the November 28, 2012 NOI form, and found the following:

1) Part IV (Project/Site Information) – the estimated areas to be disturbed (73

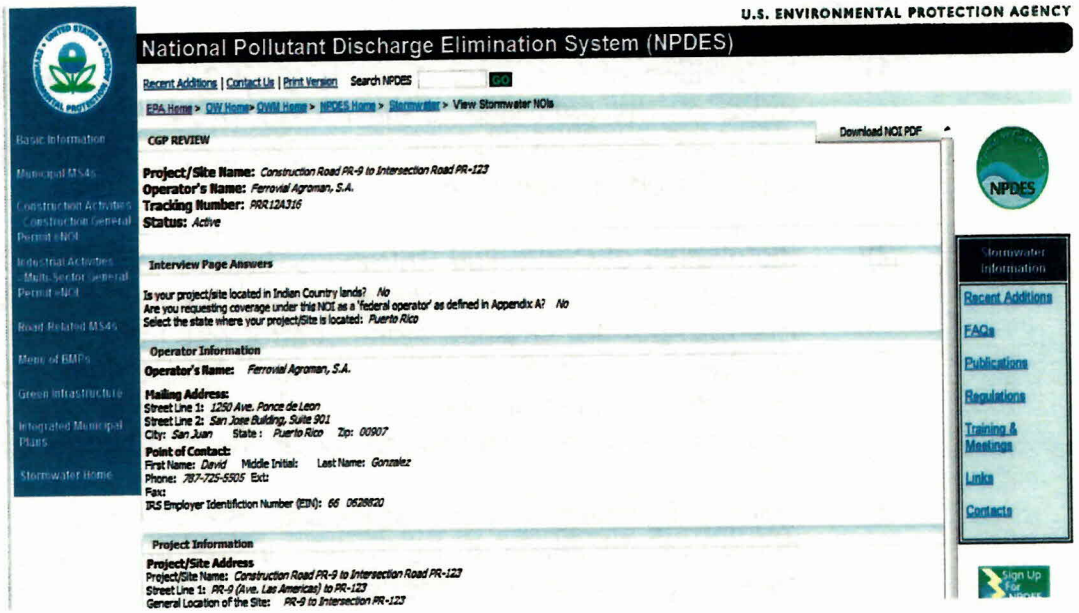
[1] The EPA NOI Processing Center database is found at http://ofmpub.epa.gov/CGPSearch.

acres) does not include the cut to waste fill areas adjacent to the Project,

2) Part IV (Project/Site Information) – the GC indicated that earth movement activities had not commenced at the time of filing the NOI form; however, the engineers Santiago Díaz and Baez Romero indicated during the Inspection entry meeting that construction activities at the Project began on September 17, 2012; and

3) Part V (Discharge Information) – the Pastillo River is not indicated in the NOI form.

Figure 4 - November 28, 2012 (active)



Development and Implementation of a SWPPP

k. Part 7.1.1 of the CGP established the requirements for the development of a SWPPP prior to submitting an NOI for the Project. All operators associated with a construction project to be covered under this permit must develop a SWPPP.[2]

l. Engineer Juan C. Mercado, P.E., GC's Environmental Consultant, developed a SWPPP for the Project, dated September 15, 2012. The SWPPP was signed by GC's David González Sánchez, Project Director. The signatory date was not provided.

[2] Note: The operators have the option of developing a group SWPPP. For instance, PRHTA may be the party responsible for SWPPP development, and GC can choose to use the same SWPPP, as long as the SWPPP addresses GC's scope of construction work and obligations under the CGP.

8. PROJECT WALKTHROUGH AND OTHER FINDINGS

a. The Inspection commenced with an entry meeting where the representatives from EPA, PRHTA and GC met to discuss matters related to CGP, the Site, on-going construction activities, erosion and sediment controls, inspections and records.

b. After the entry meeting was completed, the EPA Inspectors and engineers Santiago Díaz and Baez Romero proceeded with reconnaissance walkthrough of the Project.

c. The EPA Inspectors found the following deficiencies and/or non-compliance with the requirements of the CGP during the reconnaissance walkthrough of the Project.

1) Installation of Perimeter Controls (Part 2.1.2.2) – except two lines of silt fence on the east side of the Project (Road PR-123), perimeter controls were not observed in areas of the Site that receive stormwater runoff from earth disturbing activities;

2) Installation of Controlled Entrances/Exits for Sediment Track-Out Controls (Part 2.1.2.3) – only one designed entrance/exit area was observed (Road PR-132) but the crushed stone control was inadequate because it did not provide for removal of sediments from vehicle tires prior to exit. The EPA Inspectors observed several other areas that are used for Project's entry/exit (e.g., access road to power line area near Road PR-132);

3) Control Discharges from Stockpiled Sediment or Soil (Part 2.1.2.4) – numerous stockpiles at the Project, including two very large cut to waste piles (e.g., Cemex's property), were observed without any temporary perimeter sediment barrier, cover or appropriate temporary stabilization, and protection from wind;

4) Control of Dust (Part 2.1.2.5) – it was not observed the application of any dust control at the Project, except a one water tank-mounted truck watering a portion of the roadway on a small portion of the west side of the Project;

5) Protection of Storm Inlets (Part 2.1) – GC constructed several inlets at the Project. The construction and completion of the MS4 at the Project was underway. It was not observed the completion of end of pipes (e.g., discharge headwalls) and the few inlet were not provided with adequate protection;

6) Erosion and Sediment Controls for Constructed Stormwater Conveyance Channels (Part 2.1.3.1) – controls were not observed along the length of the concrete and soil swales, and at the end of the swales to provide for non-erosive flow velocity (e.g., runoff dissipation devices);

7) Soil Stabilization (Part 2.2) – Except on a single slope near the power lines near Road PR-132, it was not observed any soil stabilization at the slopes of the Project. Also, the road along the Project, which will provide access to nearby lands, was also observed without any soil stabilization;

8) Controls for the Storage, Handling, and Disposal of Construction Products, Materials, and Wastes (Part 2.3.3.3) – GC has not established written procedures for the storage, handling, and disposal of construction products, materials, and wastes. Waste materials and garbage were observed scattered throughout the Project's office areas and near the bridge construction along Cañas River;

9) Staff Training (Part 6) – GC did not train the workers responsible for the installation, inspection and maintenance of the controls; and

10) Others (as included in the SWPPP) – The following activities and practices included in the SWPPP were not observed during the walkthrough:

- SWPPP's Section 4 (Silt Fence) – Silt fence was not observed at the Project's boundary;
- SWPPP's Section 4 (Temporary Access Stabilization) – Only one of several areas designated for temporary departure of vehicles from the Project area was stabilized with crushed stone;
- SWPPP's Section 4 (Constructed Stormwater Conveyance Channels) – Erosion controls and velocity dissipation devices were not observed on soil swales and concrete channels;
- SWPPP's Section 4 (Sediment Basins) – No sediment basins were observed except a very small basin located in front of the Project's offices (see the Inspection photo-documentation);
- SWPPP's Section 5 (Pollution Prevention) – The SWPPP indicated that concrete washout is not allowed in the Project; however, the EPA Inspectors documented a concrete washout pile on the Project (see the Inspection photo-documentation);
- SWPPP's Section 5 (Storage, Handling, and Disposal of Construction Products, Materials, and Wastes) – Secured lidded metal dumpsters were not observed throughout the areas of the Project for proper collection and storage of waste for further disposal; and
- Nearby Residential Community – The EPA Inspector Rivera was allowed to enter the adjacent residence to observe soil deposits in the

yard and the storm water drainage system. The west side of this residence borders the Project (see the Inspection photo-documentation). The EPA Inspector were told by engineers Santiago Díaz and Baez Romero that a small sedimentation basin was constructed adjacent to the residence for the purpose of addressing sediment track out into this and other residences located in Road PR-123.

d. **Attachment 1** of this Report includes the Inspection photo-documentation. The aerial picture was obtained from Google Earth, and was used to depict location of the Project and nearby areas.

e. The EPA Inspector Maclay took Photos 1-42 (see Attachment 1) during the course of the Inspection using an EPA-owned camera, as described below:

Brand Name: Olympus
Model: Stylus 720SW Digital Camera
Serial Number: A93545563
EPA Decal Number: S37073.

f. The EPA Inspector Rivera took Photos 43-47 (see Attachment 1) during the course of the Inspection using the same EPA-owned camera described above.

9. **EXIT MEETING**

a. The Inspection ended with an exit meeting, in which the EPA Inspectors notified engineers Santiago Díaz and Baez Romero of the preliminary findings of the Inspection, which included among others: PRHTA began construction activities without coverage under an NPDES permit, most of the Project's slopes lacked soil stabilization and most of the Project lack erosion and sediment controls.

b. The EPA Inspectors recommended PRHTA's representative to consider ceasing earth movement activities at the entire Project until PRHTA obtains NPDES permit coverage.

c. Upon the EPA Inspectors request, engineer Santiago Díaz provided a copy of the SWPPP, inspection reports and rain gauge data log. The EPA Inspectors did not review this information on-site.

10. **POST INSPECTION RECORD'S REVIEW**

a. Part 7.4 of the CGP indicates that the permittee must modify its SWPPP, including the site map(s), in response to any of the conditions in Parts 7.4.1.1 to 7.4.1.6. Based on the Inspection's findings and the requirements of the CGP, the following conditions trigger a modification of the SWPPP prepared by GC:

1) Part 7.4.1.1 – Whenever new operators become active in construction activities on the Site, or the operator(s) make changes to the construction plans, stormwater control measures, pollution prevention measures, or other activities on the site that are no longer accurately reflected in the SWPPP; and

2) Part 7.4.1.3 – If inspections or investigations by Site staff, or by local, state, tribal, or federal officials determine that SWPPP modifications are necessary for compliance with the CGP.

b. The EPA Inspector Rivera reviewed the SWPPP provided during the Inspection, and found the following:

1) Part 7.2.1 (Stormwater Team) – The SWPPP does not indicate the responsibilities each member of the team. Also, the SWPPP does not include all members of the team (*e.g.*, Cesar Soto, CG's Field Engineer).

2) Part 7.2.2 (Nature of Construction Activities) – The SWPPP does not indicate the construction support activity areas (*e.g.*, equipment staging yards, material storage areas and excavated material disposal areas). Also, the SWPPP does not describe the properties subject to construction activities.[3] Further, the SWPPP does not describe the different hydrology areas within the Site.

3) Part 7.2.4 (Identification of Other Site Operators) – The SWPPP does not provide information about other operators (*e.g.*, PRHTA) who are and will be engaged in construction activities at the Site, and the areas of the Site over which each operator has control.

4) Part 7.2.5 (Sequence and Estimated Dates of Construction Activities) – The SWPPP include a brief description of the sequence of activities, which are presented in two phases. However, the SWPPP does include a schedule of the estimated start dates and the duration of the activity for the following activities:

- Part 7.2.5.1 – Installation of stormwater control measures, and when they will be made operational, including an explanation of how the sequence and schedule for installation of stormwater control measures complies with Part 2.1.1.3.a and of any departures from manufacturer specifications pursuant to Part 2.1.1.3.b;

- Part 7.2.5.2 – Commencement and duration of earth-disturbing activities, including clearing and grubbing, mass grading, site preparation (i.e., excavating, cutting and filling), final grading, and creation of soil and vegetation stockpiles requiring stabilization;

[3] For example, the properties in which cut to waste piles are staged (*e.g.*, Cemex's property).

- Part 7.2.5.3 – Cessation, temporarily or permanently, of construction activities on the Site, or in designated portions of the Site;

- Part 7.2.5.4 – Final or temporary stabilization of areas of exposed soil. The dates for stabilization must reflect the applicable deadlines to which you are subject in Part 2.2.1; and

- Part 7.2.5.5 – Removal of temporary stormwater conveyances/channels and other stormwater control measures, removal of construction equipment and vehicles, and cessation of any pollutant-generating activities.

5) Part 7.2.6 (Site Map) – The site maps included in Appendix A of the SWPPP does not include the following:

- Part 7.2.6.1 – identification of all boundaries of the Project (e.g., waste soil piles);

- Part 7.2.6.1.a – description of construction activities phases;

- Part 7.2.6.1.c – Locations where sediment, soil, or other construction materials are or will be stockpiled;

- Part 7.2.6.8.e – identification of all entrances/exits to the Project for compliance with Part 2.1.2.3 (Sediment Track-Out Controls);

- Part 7.2.6.1.g – identification of the areas in which construction support activities are or will be conducted (*e.g.*, soil waste piles);

- Part 7.2.6.3 – identification of all boundary lines of any natural buffers provided (e.g., area between the construction activities and Cañas River);

- Part 7.2.6.5 – locations where existing vegetation cover will be preserved;

- Part 7.2.6.6 – locations where allowable non-stormwater will be discharged to surface waters (including wetlands) on or near the Site;

- Part 7.2.6.7 – locations where potential pollutant-generating activities (see Part 7.2.7) will be conducted; and

- Part 7.2.6.8 – locations where soil stabilization (*e.g.*, slopes and road shoulders stabilization) will be provided.

6) Part 7.2.7 (Construction Site Pollutants) – The SWPPP does not provide a

list and description of all the pollutant-generating activities (*e.g.*, paving operations; concrete, paint, and stucco washout and waste disposal; solid waste storage and disposal; and dewatering operations) on the Site. Also, the SWPPP does not provide an inventory of pollutants or pollutant constituents (*e.g.*, sediment, fertilizers and/or pesticides, paints, solvents, fuels) associated with that activity, which could be exposed to rainfall, and could be discharged from the Project.

7) Part 7.2.8 (Non-Stormwater Discharges) – The SWPPP does not indicate the controls measures that will be implemented to the non-stormwater discharges identified for the Project.

8) Part 7.2.9 (Buffer Documentation) – The SWPPP does not provide the rationale as to why it is infeasible to comply with the requirements in Part 2.1.2.1.a, and does not describe any buffer width retained and/or supplemental erosion and sediment controls installed.

9) Part 7.2.10 (Description of Stormwater Control Measures) – The SWPPP does not provide:

- a maintenance schedule for all control measures; and
- other erosion and sediment controls (e.g., sediment traps in storm water channels), as identified hereinbefore (see findings in Section 8 above).

10) Part 7.2.10.3 (Stabilization Practices) – The SWPPP does not describe the specific vegetative and/or non-vegetative practices that will be used to comply with the requirements in Part 2.2.

11) Part 7.2.12 (Procedures for Inspection, Maintenance and Corrective Actions) – The SWPPP does not indicate:

- the frequency of inspections that CG decided to follow;
- the procedures that will be followed for maintaining the stormwater control measures, conducting site inspections, and, where necessary, taking corrective actions (see Parts 2.1.1.4, 2.3.2, 4, and 5 of the CGP); and
- the individual(s) responsible for conducting and documenting the inspections.

12) Part 7.2.13 (Training) – The SWPPP does not include documentation that the required personnel were trained (see Part 6 of the CGP).

13) Part 7.2.15 (SWPPP Certification) – The SWPPP was not dated, and

therefore, EPA cannot determine when it became effective for the Project.

14) Part 7.2.16 (Post Authorization Additions to the SWPPP) – Appendix D of the SWPPP does not include a copy of any correspondence exchanged between GC and EPA related to coverage under the CGP and a copy of the acknowledgment letter CGP received from the EPA NOI Processing Center assigning the Project's permit tracking number.

15) Part 7.4.2 and 7.4.3 (SWPPP Modifications) – CG did not revise the SWPPP according to the findings identified in the inspection reports (see inspection reports findings below) within seven (7) calendar days following the occurrence of any of the conditions listed in Part 7.4.1 of the CGP (see Appendix F of the SWPPP - SWPPP Amendment Log).

16) Appendix D (Copy of Inspection Form) – CG attached a copy of an EPA inspection report template but did not tailor the template according to the Project needs.

17) Appendix E (Copy of Corrective Action Form) – CG attached a copy of an EPA corrective action form but did not tailor the template according to the Project needs. Also, the SWPPP does not include any completed correction action form for the Project even though the inspection reports reflected the need to implement corrective actions.

18) Appendix H (Grading and Stabilization Activities Log) – The SWPPP includes a log, which CG has not documented its use at the Project.

19) Appendix I (SWPPP Training Log) – The SWPPP includes a log, which CG has not documented it has trained its personnel.

c. The EPA Inspector Maclay reviewed the Inspection Reports (IR) provided by GC's representative during the exit meeting for the November 30, 2012 to June 13, 2014 period, and found the following:

1) The CG representative did not produce nine (9) IRs from September 25, 2012 (7-day period after commencement of construction activities) to November 23, 2012 (7-day before the first documented IR);

2) The IR Form used by GC was an inspection form template developed by EPA, which was designed to provide compliance assistance to permittees concerning the preparation of inspection reports, which are required in Section 4.1.7 of the CGP. The inspection report template was not modified to include Site-specific areas for evaluation based on the requirements of the CGP and the SWPPP developed for the Project;

3) The inspection frequency identified in the IRs was weekly, except on the

following dates that were identified as "every 14 days and within 24 hours of a 0.25" rain": February 12, 2013, February 22, 2013, March 1, 2013, March 8, 2013, March 22, 2013, April 1, 2013, April 12, 2013, May 3, 2013, June 28, 2013, and July 19, 2013;

4) Part 4.1.2 of the CGP establishes that the permittee must conduct a site inspection in accordance with one of the two schedules: (a) at least once every seven (7) calendar days; or once every fourteen (14) calendar days and within 24 hours of the occurrence of a storm event of 0.25 inches or greater;

   In several IRs in which the frequency was identified as weekly, more than seven (7) calendar days passed between inspections. For example, ten (10) calendar days passed between the inspections conducted on January 8, 2013 and January 18, 2013;

5) The GC inspector that conducted the inspections and prepared the IRs is enginer César Soto. The inspector tittle and contact information was not written in the IRs;

6) Although the IRs were signed and certified by engineer César Soto, CG did not comply with the signatory requirements included in Parts 4.1.7.2 and I.11.4 of the CGP;

7) The acronyms written in the IRs, which were used to identify the areas inspected on the Project, neither were defined nor shown on a site map;

8) The column used to identify the date in which maintenance or corrective actions where first identified in the "IR Erosion and Sedimentation and Pollution Prevention" tables were filled with the exact same dates on both tables, regardless of whether any maintenance or corrective action was required pursuant to the SWPPP and CGP;

9) Part 5.1 of the CGP indicates the actions that trigger a corrective action, such as repair, modification, or replacement of any stormwater control used at the Site.

   The corrective actions were not documented as required on Part 5 of the CGP. During EPA's review of the IRs, EPA found that the inspector could not distinguish between a corrective action activity and a best management practice maintenance activity.

   For example, the inspector noted in the June 28, 2013 IR that installation of silt fence and hay bales is required at inlet E-28+00(36"). The following IR, dated July 19, 2013, did not indicate whether the silt fence and hay bales were installed at inlet E-28+00(36"); and

10) **Attachment 2** of this Report includes additional comments and findings concerning the review of the IRs.

d. The EPA Inspector Rivera reviewed the rain gauge data log provided during the Inspection, and found the following:

1) the rain gauge data log provides for data entry in the morning (A.M.) and the afternoon (P.M.) for every day of the month, but does not indicate the time in which the reading is taking in the morning and the afternoon;

2) the rain gauge data log does not provide an space for the inclusion of the individual that enters the data; and

3) CG recorded rain events at the Site between December 2012 and June 17, 2014. The following table summarizes EPA's review of the rain data logs:

	Year 2012[4]	Year 2013	Year 2014
January	Not applicable.	Rain gauge data recorded on 1/23.	Rain gauge data recorded on 1/10.
February		Rain gauge data recorded on 2/1, 2/12, and 2/21.	Rain gauge data recorded on 2/3 and 2/27.
March		Rain gauge data recorded on 3/5, 3/8, 3/21, 3/23, 3/24, and 3/26.	Rain gauge data recorded on 3/4, 3/9, 3/10, 3/12, 3/14, and 3/17.
April		Rain gauge data recorded on 4/1, 4/8, 4/19, 4/24, 4/25, 4/26, and 4/29.	Rain gauge data recorded on 4/2, 4/3, 4/4, 4/9, 4/10, 4/11, 4/16, and 4/17.
May		Rain gauge data recorded on 5/3, 5/7, 5/8, 5/13, 5/15, 5/21, and 5/23.	Rain gauge data recorded on 5/6, 5/7, 5/8, 5/9, 5/12, 5/14, 5/15, and 5/20.
June		Rain gauge data recorded on 6/4, 6/14, 6/19, 6/26, and 6/27.	Rain gauge data recorded until June 17, 2014.
July		Rain gauge data recorded on 7/3, 7/8, 7/10, 7/15, 7/18, and 7/31.	Not applicable.
August		Rain gauge data recorded on 8/1, 8/6, 8/12, 8/16, 8/19 and 8/20.	
September	Rain data was not recorded.	Rain gauge data recorded on 9/3, 9/4, 9/5, 9/6, 9/9, and 9/12.	
October		Rain gauge data recorded on 10/2, 10/3, 10/5, 10/10, and 10/12.	
November		Rain gauge data recorded on 11/4, 11/5, 11/6, 11/, 11/8, 11/21 and 11/22.	
December	Rain gauge data recorded on 12/1; 12/2; 12/3; and 12/4.	Rain gauge data recorded on 12/2, 12/3, 12/5, and 12/16.	

[4] Project started on September 17, 2012.

11. POST INSPECTION MEETING PRHTA'S AND GC'S REPRESENTATIVES

a. On July 1, 2014, representatives from EPA, PRHTA and GC met at the EPA Region 2 office in Guaynabo, Puerto Rico. EPA provided a "PowerPoint" presentation summarizing the requirements of the CWA, and its implementing regulations, and the CGP, and discussed and provided answers to the parties concerning the Provisions of the ACO.

b. EPA reiterated the preliminary findings of the Inspection and addressed the importance of timely developing and implementing a comprehensive compliance plan for the Project.

12. RECOMMENDATIONS

a. EPA should forward a copy of the Report to PRHTA, GC and EQB.

b. EPA should request the parties to revise the SWPPP according to the comments included hereinabove and the requirements of the CGP.

c. EPA should request the parties to provide a SWPPP implementation schedule, which should provide for implementing erosion and sediment controls and soil stabilization to the most critical areas, such as the east of the Cañas River construction activities, to protect the River and the nearby residential and commercial communities located in Road PR-123.

d. EPA should continue to work with the parties and allocate the resources for the expedited review of compliance documents and follow-up site visits.

End of report

Prepared by:

José A. Rivera, BSCE
Senior Environmental Engineer
Regional Storm Water Specialist
U.S. Environmental Protection Agency, Region 2

7/30/14
Date

Yolianne Maclay, P.E.
Environmental Engineer
U.S. Environmental Protection Agency, Region 2

7/30/14
Date

ATTACHMENT 1

PHOTO-DOCUMENTATION

Photo 1 - View of access road to the cut to waste soil storage pile within the Cemex's property (portion of project located east of Río Canas). Lack of road stabilization and runoff management observed.

Photo 2 - Another angle of Photo 1 depicting lack of soil stabilization and runoff management.

Photo 3 - View of slopes without soil stabilization at the construction areas east of Río Canas.

Photo 4 - Lack of soil stabilization in slope (construction project area located east of Río Canas).

Photo 5 - Another angle of Photo 4 (same findings as described above).

Photo 6 - Lack of soil stabilization in slopes and lack of runoff management (project areas located east of Río Canas).

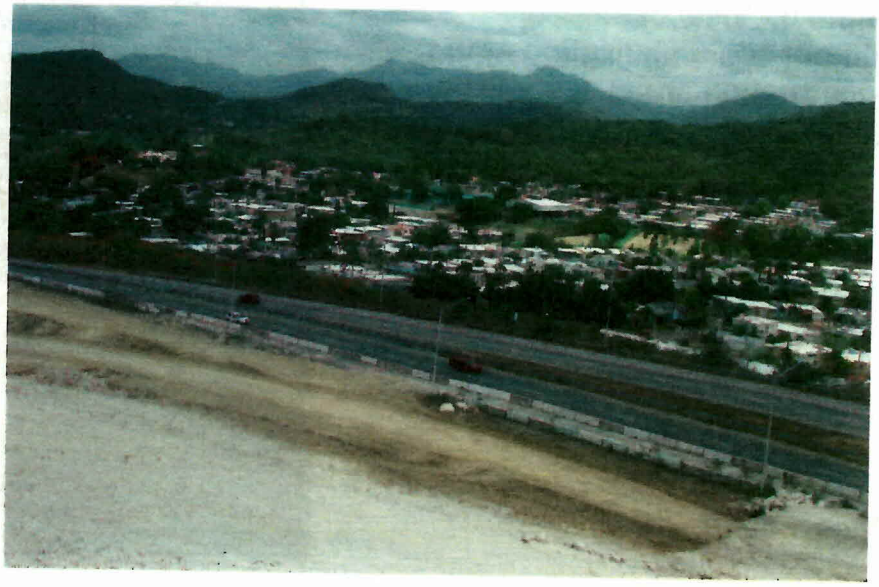


Photo 7 - Another angle of Photo 6 (same findings).

Photo 8 - Lack of soil stabilization and runoff management, and loose soils (uncompacted) located at project areas east of Río Canas.

Photo 9 - Another angle of Photo 6 (same findings).

Photo 10 - More lack of slope stabilization on the project areas east of Río Canas.

Photo 11 - More lack of slope stabilization on the project areas east of Río Canas.

Photo 12 - More lack of slope stabilization on the project areas east of Río Canas.

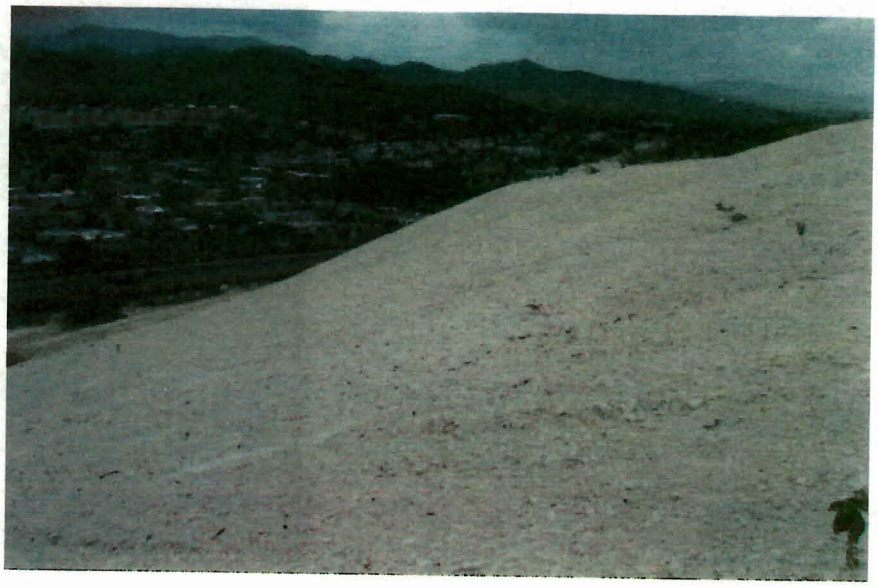


Photo 13 - View of erosion gullies on the slope due to lack of slope stabilization and runoff management on top of the slope (project areas located east of Río Canas).

Photo 14 - Another angle of Photo 13 (same findings).

Photo 15 - Closer view of Photos 13-14.

Photo 16 - Lack of runoff management at bottom of the slopes and road without soil stabilization (project areas located east of Río Canas).

Photo 17 - Loose soil within slopes and inadequate use of silt fence (project areas located east of Río Canas).

Photo 18 - On-going use of heavy construction machinery to conduct earth movement activities east of Río Canas.

Photo 19 - View of slope without soil stabilization and runoff control at the top of the slope (project areas located east of Río Canas).

Photo 20 - Another angle of Photo 19.

Photo 21 - Unstable slopes and unprotected swale that carries runoff to the lower area of the project (project area east of Río Canas).

Photo 22 - This photo depicts the conveyance channel that ends on a very small sedimentation basin (project areas located east of Río Canas), which overflows into Road PR-132, a Puerto Rico Highways and Transportation Authority's separate storm sewer system.

Photo 23 - Closer view of the small sedimentation basin (project areas located east of Río Canas).

Photo 24 - Closer view of Photo 23.

Photo 25 - View of a resident yard next to the sedimentation basin described in Photos 23-24, which the EPA inspectors observed with sediments. The concrete structure in the picture allows runoff to go thru under the Road PR- 132 until it reaches Río Canas. This is one of the point sources observed during the Inspection.

Photo 26 - Another angle of Photo 25.

Photo 27 - View of the other side of the culvert (see descriptions in Photo 25-26), which conveys runoff into Río Canas, which also shown in this photo.

Photo 28 - Water tank-mounted truck on-site, but it was not observed in operation (project areas located east of Río Canas).

Photo 29 - View of the entrance sign to the areas of the project located west of Río Canas. The sign shows the 2012 CGP tracking number for the GC. The following pictures will address the findings of the Inspection related to the construction activities located west of the Río Canas.

Photo 30 - View of scattered soil piles and uncontrolled cut to waste soil pile observed without erosion controls and slope stabilization. The open lands at further behind are not associated with the Project (Cemex's property).

Photo 31 - View of slopes with partial stabilization coverage (wild vegetation) and unstable slopes.

Photo 32 - View of raodway and slopes without soil stabilization, and view of soil pile without erosion control.

Photo 33 - View of roadway and slopes without soil stabilization.

Photo 34 - View of roadway and slopes without soil stabilization.

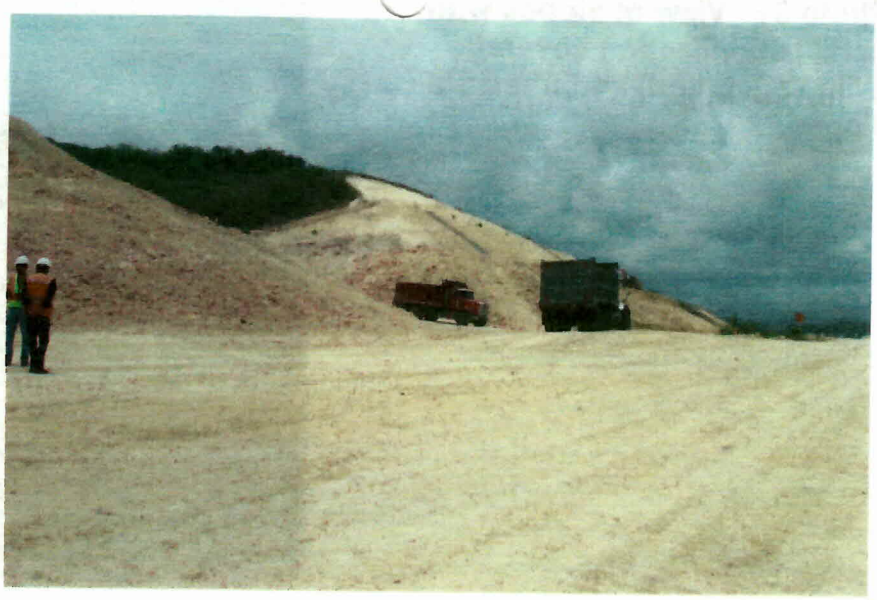


Photo 35 - View of roadway and slopes without soil stabilization. This photo also shows a soil stabilzation test on the slope (see brown color portion of slope).

Photo 36 - View of roadway and slopes without soil stabilization. A portion of the slopes are shown with down concrete drains.

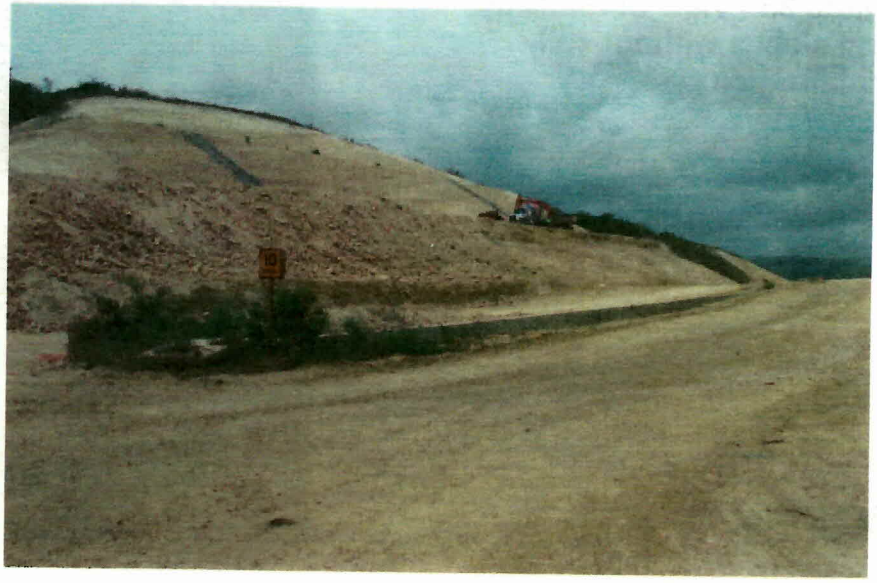


Photo 37 - View of areas without soil stabilization and concrete slabs along the project.

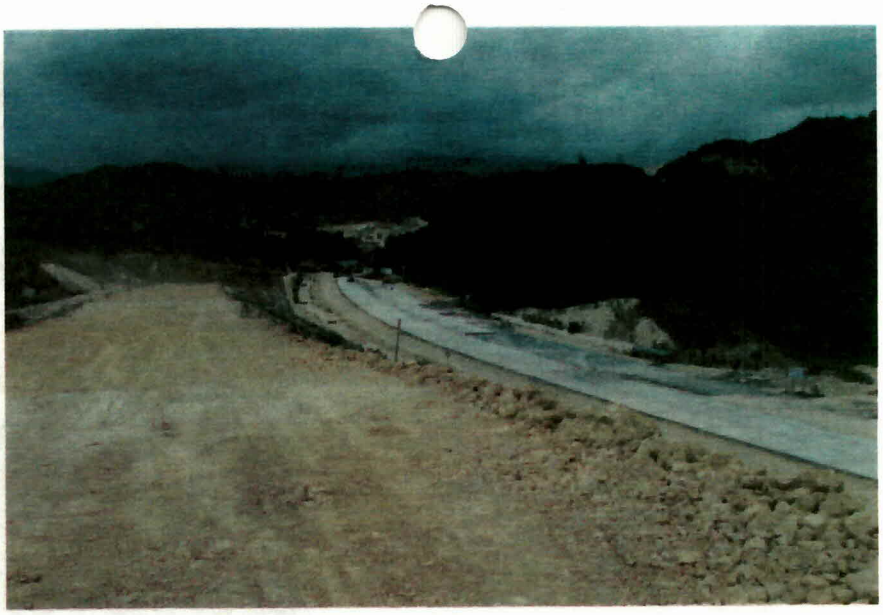


Photo 38 - View of silod pile of concrete washout. The EPA inspectors did not observe concrete washout best management practices on either side of the project.

Photo 39 - View of slope partially provided with soil stabilization. This was the only slope in the Project that the EPA Inspectors observed with some king of soil stabilization installed by the GC.

Photo 40 - Another view of the slopes shown in Photo 39 above, and an inadequate crushed stone entrance at the end of the Project (near Road PR-132).

Photo 41 - Another view of Photo 40, and concrete swale without velocity dissipation.

Photo 42 - View of cut to waste pile on-site without erosion controls and slope stabilization.

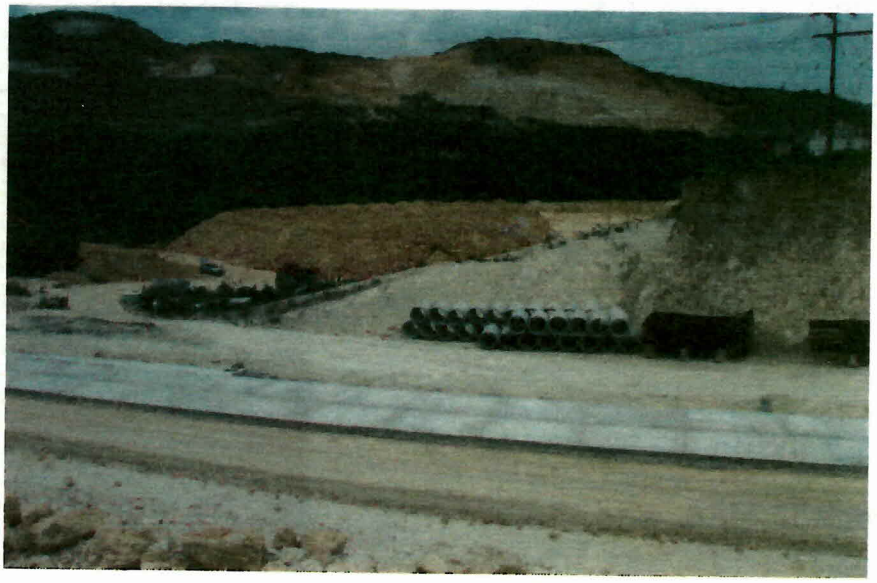


Photo 43 - View of Road PR-132 ("Municipality of Ponce municipal separate storm sewer system" or "Ponce MS4"), which collects storm water runoff from the Project. A light rain event took place during the Inspection.

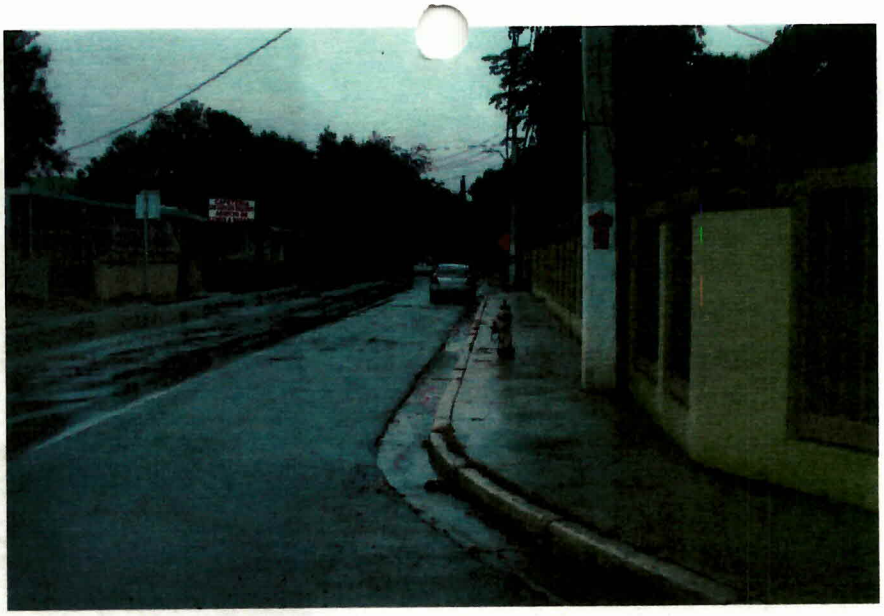


Photo 44 - View of runoff along the Road PR-132 gutter (see photo above).

Photo 45 - View of runoff along the Road PR-132 gutter (see Photos 43-44 above).

Photo 46 - View of Road PR-132 inlet receiving the storm water runoff.

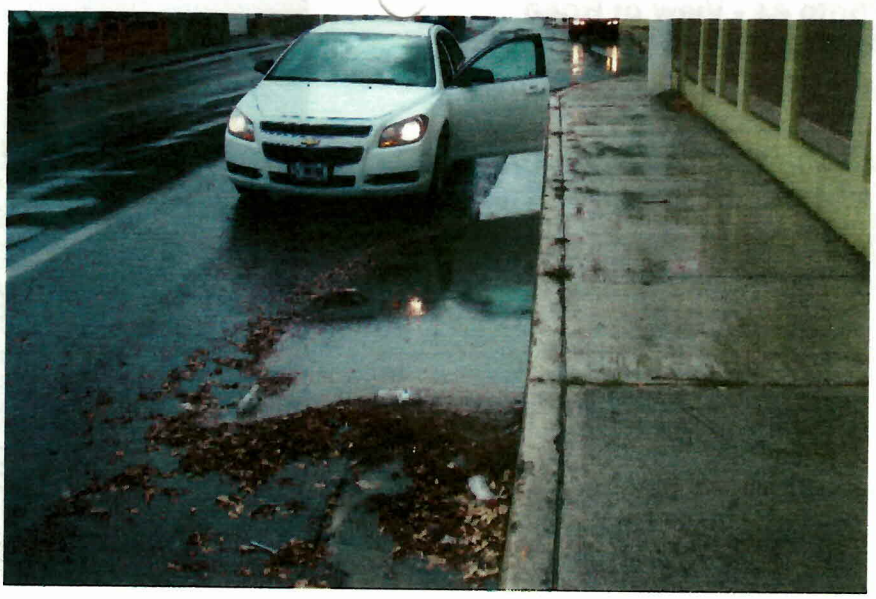


Photo 47 - View of another Road PR-132 inlet (downgradient) receiving the storm water runoff.

ATTACHMENT 2

EPA REVIEW OF THE INSPECTION REPORTS

EPA Review of the Inspection Reports

	A	B	C	D	E	F	G	H	I	J
1				E&S Controls Table		P2 Practices Table				
2	Inspection Date	Number of calendar days between inspections	Inspection Frequency indicated in the IR	Repairs or Other Maintenance	Correction Action Marked	Repairs or Other Maintenance	Correction Action Marked	Stabilization of Exposed Soil Table in the IR	Signed by Subcontractor	Signed by Permittee
3	November 30, 2012		Weekly	No	No	No	No	Empty	Yes	No
4	December 3, 2012	3	Weekly	Yes	No	Yes	Yes	Empty	Yes	No
5	December 14, 2012	11	Weekly	No	No	No	No	Empty	Yes	No
6	December 21, 2012	7	Weekly	No	No	No	No	Empty	Yes	No
7	January 8, 2013	18	Weekly	No	No	No	No	Empty	Yes	No
8	January 18, 2013	10	Weekly	Yes	No	No	No	Not included	Yes	No
9	January 25, 2013	7	Weekly	No	No	No	No	Empty	Yes	No
10	February 1, 2013	7	Weekly	No	No	No	No	Empty	Yes	No
11	February 4, 2013	3	Weekly	No	No	No	No	Empty	Yes	No
12	February 12, 2013	8	Bi-weekly	No	No	No	No	Empty	Yes	No
13	February 22, 2013	10	Bi-weekly	No	No	No	No	Empty	Yes	No
14	March 1, 2013	7	Bi-weekly	No	No	No	No	Empty	Yes	No
15	March 8, 2013	7	Bi-weekly	No	No	No	No	Empty	Yes	No
16	March 22, 2013	14	Bi-weekly	No	No	No	No	Empty	Yes	No
17	April 1, 2013	10	Bi-weekly	No	No	No	No	Empty	Yes	No
18	April 12, 2013	11	Bi-weekly	No	No	Not included	Not included	Empty	Yes	No
19	April 26, 2013	14	Empty	No	No	No	No	Empty	Yes	No
20	May 3, 2013	7	Bi-weekly	No	No	No	No	Empty	Yes	No
21	May 7, 2013	4	Weekly	Yes	Yes	Yes	No	Empty	Yes	No
22	May 13, 2013	6	Weekly	No	No	No	No	Empty	Yes	No
23	May 15, 2013	2	Weekly	No	No	No	No	Empty	Yes	No
24	May 23, 2013	8	Weekly	No	No	No	No	Empty	Yes	No
25	May 31, 2013	8	Weekly	No	No	No	No	Empty	Yes	No
26	June 7, 2013	7	Weekly	No	No	No	No	Empty	Yes	No
27	June 14, 2013	7	Empty	No	No	No	No	Empty	Yes	No
28	June 28, 2013	14	Bi-weekly	Yes	Yes	No	No	Empty	Yes	No
29	July 19, 2013	21	Bi-weekly	Yes	No	No	No	Empty	Yes	No
30	July 26, 2013	7	Weekly	Yes	Empty	No	No	Empty	Yes	No
31	August 2, 2013	7	Weekly	Yes	No	No	No	Empty	Yes	No
32	August 9, 2013	7	Weekly	No	No	No	No	Empty	Yes	No
33	August 16, 2013	7	Weekly	Yes	No	No	No	Empty	Yes	No
34	August 21, 2013	5	Weekly	No	No	No	No	Empty	Yes	No

EPA Review of the Inspection Reports

	A	B	C	D	E	F	G	H	I	J
1				E&S Controls Table		P2 Practices Table				
2	Inspection Date	Number of calendar days between inspections	Inspection Frequency indicated in the IR	Repairs or Other Maintenance	Correction Action Marked	Repairs or Other Maintenance	Correction Action Marked	Stabilization of Exposed Soil Table in the IR	Signed by Subcontractor	Signed by Permittee
35	August 23, 2013	2	Weekly	Yes	No	Empty	Empty	Empty	Yes	No
36	August 30, 2013	7	Weekly	Yes	No	No	No	Empty	Yes	No
37	September 6, 2013	7	Weekly	Yes	No	Yes	No	Empty	Yes	No
38	September 13, 2013	7	Weekly	Yes	No	Yes	No	Empty	Yes	No
39	September 20, 2013	7	Weekly	No	No	Yes	No	Empty	Yes	No
40	September 27, 2013	7	Weekly	Yes	No	Yes	No	Empty	Yes	No
41	October 4, 2013	7	Weekly	No	No	No	No	Empty	Yes	No
42	October 11, 2013	7	Weekly	No	No	No	No	Empty	Yes	No
43	October 18, 2013	7	Weekly	No	No	No	No	Empty	Yes	No
44	October 25, 2013	7	Weekly	No	No	No	No	Empty	Yes	No
45	November 1, 2013	7	Weekly	No	No	No	No	Empty	Yes	No
46	November 4, 2013	3	Weekly	Yes	Yes	Yes	Yes	Empty	Yes	No
47	November 5, 2013	1	Weekly	Yes	Yes	Yes	No	Empty	Yes	No
48	November 6, 2013	1	Weekly	Yes	No	No	No	Empty	Yes	No
49	November 8, 2013	2	Weekly	Yes	No	Yes	No	Empty	Yes	No
50	November 15, 2013	7	Weekly	No	No	No	No	Empty	Yes	No
51	November 29, 2013	14	Weekly	No	No	No	No	Empty	Yes	No
52	December 6, 2013	7	Weekly	No	No	No	No	Empty	Yes	No
53	December 13, 2013	7	Weekly	No	No	No	No	Empty	Yes	No
54	December 20, 2013	7	Weekly	No	No	No	No	Empty	Yes	No
55	January 10, 2014	21	Weekly	No	No	No	No	Empty	Yes	No
56	January 17, 2014	7	Weekly	No	No	No	No	Empty	Yes	No
57	January 24, 2014	7	Weekly	No	No	No	No	Empty	Yes	No
58	January 31, 2014	7	Weekly	No	No	No	No	Empty	Yes	No
59	February 7, 2014	7	Empty	No	No	No	No	Empty	Yes	No
60	February 14, 2014	7	Weekly	No	No	No	No	Empty	Yes	No
61	February 21, 2014	7	Weekly	No	No	No	No	Empty	Yes	No
62	February 28, 2014	7	Weekly	No	No	No	No	Empty	Yes	No
63	March 7, 2014	7	Weekly	No	No	No	No	Empty	Yes	No
64	March 12, 2014	5	Weekly	Yes	Yes	No	No	Empty	Yes	No
65	March 14, 2014	2	Weekly	Yes	No	yes	Empty	Empty	Yes	No
66	March 21, 2014	7	Weekly	No	No	No	No	Empty	Yes	No

EPA Review of the Inspection Reports

	A	B	C	D	E	F	G	H	I	J
1				E&S Controls Table		P2 Practices Table				
2	Inspection Date	Number of calendar days between inspections	Inspection Frequency indicated in the IR	Repairs or Other Maintenance	Correction Action Marked	Repairs or Other Maintenance	Correction Action Marked	Stabilization of Exposed Soil Table in the IR	Signed by Subcontractor	Signed by Permittee
67	March 28, 2014	7	Weekly	No	No	No	No	Empty	Yes	No
68	April 3, 2014	6	Weekly	Yes	No	yes	no	Empty	Yes	No
69	April 4, 2014	1	Weekly	Yes	Yes	Yes	Yes	Empty	Yes	No
70	April 10, 2014	6	Weekly	Yes	Yes	Yes	Yes	Empty	Yes	No
71	April 16, 2014	6	Weekly	Yes	No	Yes	No	Empty	Yes	No
72	April 25, 2014	9	Weekly	No	No	No	No	Empty	Yes	No
73	May 2, 2014	7	Weekly	No	No	No	No	Empty	Yes	No
74	May 7, 2014	5	Weekly	No	No	No	No	Empty	Yes	No
75	May 16, 2014	9	Weekly	No	No	No	No	Empty	Yes	No
76	May 23, 2014	7	Weekly	No	No	No	No	Empty	Yes	No
77	May 30, 2014	7	Weekly	No	No	No	No	Empty	Yes	No
78	June 6, 2014	7	Weekly	No	No	No	No	Empty	Yes	No
79	June 13, 2014	7	Weekly	No	No	No	No	Empty	Yes	No
80	Note: The number highlighted in yellow indicates the number of days that passed the required 7-day inspection calendar.									